United Nations A/71/167

General Assembly

Distr.: General
20 July 2016

Original: English

Seventy-first session
Item 76 of the provisional agenda*
Criminal accountability of United Nations officials and experts on mission

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Report of the Secretary-General

Summary

The present report has been prepared pursuant to paragraphs 24 and 25 of General Assembly resolution 70/114. Section II contains information received from governments on the extent to which jurisdiction, in particular over crimes of a serious nature committed by their nationals while serving as United Nations officials or experts on mission, is established under their national laws. Section III provides information received from governments on the handling of credible allegations that reveal that a crime may have been committed by United Nations officials or experts on mission by States against whose nationals such allegations are made, and matters relating thereto. Section IV provides information on cooperation among States and with the United Nations in the exchange of information and the facilitation of investigations and prosecution of such individuals, as well as the protection of victims and witnesses in this process. Section V provides comments received from governments on the report of the Group of Legal Experts on ensuring the accountability of United Nations staff and experts on mission with respect to criminal acts committed in peacekeeping operations (A/60/980), including on the question of future action. Sections VI and VII relate to information on activities within the Secretariat.

* A/71/150.

16-12585 (E) 280716

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I. Introduction

1. In its resolution 70/114, the General Assembly requested the Secretary-General to report to it at its seventy-first session on the implementation of the resolution, in particular with respect to paragraphs 7, 9, 12, 15 and 16, as well as any practical problems in its implementation, on the basis of information received from governments and the Secretariat.

2. In a note verbale dated 31 December 2015, the Secretary-General drew the attention of all States to General Assembly resolution 70/114 and requested them to submit relevant information. The present report provides information on efforts undertaken in that regard. Replies have been received from the following States: Australia, Belarus, Bulgaria, Cyprus, El Salvador, Georgia, Greece, Kuwait, Spain, Switzerland and the United Kingdom of Great Britain and Northern Ireland.

3. In addition, in a second note verbale, also dated 31 December 2015, the Secretary-General drew the attention of all States to paragraphs 22 and 23 of resolution 70/114, and requested them to submit relevant information pertaining to the preparation of a compilation by the Secretariat, based on information which should be received from all Member States, of national provisions regarding the establishment of jurisdiction over their nationals, whenever they serve as United Nations officials or experts on mission, in relation to crimes as known in their existing national criminal laws, particularly those of a serious nature. To assist in the collation of relevant information, a questionnaire, appearing as annex I to the present report, was circulated to all Member States on 24 May 2016, and redistributed on 12 July 2016. Replies to either the note verbale or the questionnaire, or both, were received, as at 20 July 2016, from the following States: Belgium, Canada, Czech Republic, El Salvador, Finland, Norway, Poland, the Republic of Korea, Spain, Sweden and the United Kingdom. The full texts of the replies to the questionnaire are available on the website of the Sixth Committee. The information is still being analysed by the Secretariat and has not been included in the present report. Those States that have not yet responded to the questionnaire are encouraged to complete it.

4. Sections II, III and IV of the present report concern activities and information received relating to the criminal accountability of United Nations officials and experts on mission, as required under paragraphs 7 to 9, 15 and 21 of resolution 70/114. Section V provides comments received from States with respect to paragraph 12, by which Member States were invited to submit further comments on the report of the Group of Legal Experts, including on the question of future action.

5. Sections VI and VII of the present report relate to activities undertaken within the Secretariat in the implementation of paragraphs 5, 10, 11, 15 to 20 and 25 of the resolution, focusing in particular on information regarding the bringing of credible allegations that reveal that a crime may have been committed by United Nations officials or experts on mission to the attention of the States against whose nationals such allegations are made, and matters relating thereto.

6. The present report should be read together with previous reports of the Secretary-General under this item (A/70/208, A/69/210, A/68/173, A/67/213, A/66/174 and Add.1, A/65/185, A/64/183 and Add.1 and A/63/260 and Add.1).

7. It should be recalled that the present report, together with the work of the Sixth Committee of the General Assembly on the present item, focuses on issues surrounding the criminal accountability of United Nations officials and experts on mission. Other entities within the Organization, pursuant to their respective mandates, also address aspects that bear on the item, including the work of the Conduct and Discipline Unit of the Department of Field Support, the Office of Internal Oversight Services, the Ethics Office and the Joint Inspection Unit. In addition, the Office of the Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse was established in February 2016 as part of a series of ongoing measures derived from the Secretary-General's analysis of the report of the external independent review panel on sexual exploitation and abuse by international peacekeeping forces in the Central African Republic, submitted on 17 December 2015. The Office of the Special Coordinator has recently requested Member States to provide any manuals on military law/the military justice system, or rules and regulations on its execution of military law (summary jurisdiction) and powers conferred upon the commanding officers of deployed contingents to investigate and prosecute the offenders in the mission. The information requested is limited to the issue of sexual exploitation and sexual abuse, and to military personnel.

8. Given the cross-cutting nature of the subject, attention may be drawn to other recent reports prepared pursuant to other mandates, in particular: (a) the report of the High-level Independent Panel on Peace Operations on uniting our strengths for peace: politics, partnership and people (A/70/95-S/2015/446), and the report of the Secretary-General on the future of United Nations peace operations: implementation of the recommendations of the High-Level Independent Panel on Peace Operations (A/70/357-S/2015/682), which dealt with aspects concerning peace operations and peacekeeping forces; (b) the report of the Joint Inspection Unit on fraud prevention, detection and response in United Nations system organizations (JIU/REP/2016/4), addressing financial crimes; (c) the evaluation report of the enforcement and remedial assistance efforts for sexual exploitation and abuse by the United Nations and related personnel in peacekeeping operations (IED-15-001, available from https://oios.un.org), prepared by the Office of Internal Oversight Services with respect to measures addressing protection from sexual exploitation and sexual abuse, as well as the report of the Secretary-General on special measures for protection from sexual exploitation and sexual abuse (A/70/729), prepared annually pursuant to General Assembly resolution 57/306.

II. Establishment of jurisdiction over crimes of a serious nature

Australia

9. Australia reiterated the information provided in its previous comments on this item (see A/63/260, paras. 5 and 6 and A/65/185, paras. 5-7).

Belarus

10. Belarus noted that, for its personnel taking part in activities for the maintenance of international peace and security as part of the United Nations Interim Force in Lebanon, the memorandum of understanding stated that military and civilian members of the contingent provided by Belarus were subject to the

exclusive jurisdiction of the Government in respect of any crimes or offences that might be committed by them while they were assigned to the military component of the operation. Belarus has undertaken to guarantee the immunities of United Nations officials and experts on official duties, and under bilateral agreements and domestic law it prosecutes persons whom it has deployed who have committed a crime.

11. Belarus reiterated information previously submitted relating to the establishment of jurisdiction (see A/64/183, paras. 6-8). In addition, Belarus highlighted the fact that under article 85 of its Criminal Code, exemption from criminal responsibility or punishment on the grounds of expiry of the statute of limitations did not apply to crimes against peace, crimes against the security of humankind or war crimes, and an exhaustive list of such crimes was set out.

Bulgaria

12. Bulgaria reiterated the information previously provided to the Secretary-General (see A/66/174, para. 5).

El Salvador

13. El Salvador reiterated the information contained in a previous report of the Secretary-General (see A/69/210, para. 7), and reported on predeployment training that was provided to its personnel with respect to criminal conduct for United Nations officials and experts on mission.

Finland

14. Finland reported that its military observers were subject to the disciplinary power of both the commander of the Finnish Army and the commander of operations, as defined in chapter 6 of the document of the Finnish Defence Forces on military superiors entitled to exercise disciplinary power (document No. HL687, 2 June 2015). Finland set out the responsibilities of specific positions within that chapter.

15. Finland also reported on training conducted for military observers, with regard to legal and gender issues, that dealt with the criminal accountability of military observers, both nationally and internationally, and in relation to host country issues. The training discussed, among other things, the offences referred to in chapters 11, on war crimes and crimes against humanity, and 45, on military offences, of the Criminal Code, and intervention in such offences.

Georgia

16. Georgia indicated that, according to article 5 (1) of the Criminal Code of Georgia, citizens of Georgia and stateless persons residing in Georgia who have committed an act prohibited by the Code abroad were criminally liable under the Code if that act was also considered to be a crime under the legislation of the State where it was committed. Article 5 (2) of the Code further established criminal liability for acts committed by Georgian citizens and stateless persons residing in Georgia even if the act prohibited in Georgia were not criminalized by the law of a country where it was committed. The provision stipulates that in such cases a culprit may still be held accountable if the crime were of a serious or especially serious

nature and directed against the interests of Georgia or if criminal liability for the crime were prescribed by the treaties to which Georgia was a party. Georgia reported that it was a State party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Geneva Conventions of 1949 and its Additional Protocol I; and the Statute of the International Criminal Court as amended by the Kampala Amendments.

Greece

17. Greece indicated that no updates were available for the information previously submitted (see A/63/260, paras. 18-20; A/68/173, paras. 6 and 7; and A/70/208, paras. 9-11).

Kuwait

18. Kuwait reiterated the information concerning its Penal Code contained in a previous report of the Secretary-General (see A/64/183, para. 15).

Spain

19. Spain reported that, under its legislation, Spanish courts exercised jurisdiction over crimes committed by Spanish nationals in a foreign country. Pursuant to article 23 (2) of the Organic Law on the Judiciary:

> Spanish courts shall also have jurisdiction over crimes committed outside the national territory, provided the perpetrators are Spanish nationals or foreign nationals who acquired Spanish nationality after committing the act, and provided the following requirements are met:
>
> (a) That the act is punishable in the place where it was committed, except where said requirement is not necessary under an international treaty or the regulations of an international organization to which Spain is a party, without prejudice to the stipulations below;
>
> (b) That the aggrieved party or the public prosecutor has brought action in a Spanish court;
>
> (c) That the perpetrator has not been exonerated, pardoned or punished in a foreign country or, in the latter case, has not completed his or her sentence. If said sentence has only been completed in part, that would be taken into account to reduce the corresponding sentence proportionately.

20. Pursuant to article 23 (4) of the Organic Law of the Judiciary, Spanish courts were also competent to hear cases concerning acts committed by Spanish nationals (or foreign nationals) outside the national territory, when such acts might constitute crimes of a more serious nature, such as genocide, torture, enforced disappearance, illegal trafficking of drugs, narcotics or psychotropic substances, trafficking of minors in return for freedom or sexual favours and corruption between individuals or in international business transactions. However, in all of those cases, the jurisdiction of Spanish courts would be subject to the fulfilment of specific requirements, based on the crime committed.

21. Spain stressed, therefore, that its nationals serving as United Nations officials or experts on mission who committed a crime outside Spanish territory were subject

to the jurisdiction of Spanish courts, and in particular that the crime was not required to be of a particularly serious nature.

Switzerland

22. Switzerland reiterated information provided for previous reports of the Secretary-General on the topic (see A/63/260, para. 33; A/66/174, paras. 19-21; and A/67/213, paras. 10-13).

23. Switzerland also reported that financial crimes were punishable under Swiss criminal law, which punished such acts as criminal mismanagement (article 158 of the Criminal Code), overcharging of taxes (article 313), misconduct in public office (article 314) and different forms of bribery (article 322 ter).

United Kingdom of Great Britain and Northern Ireland

24. The United Kingdom set out its three distinct criminal law jurisdictions and indicated that offences committed overseas by any United Kingdom national, whether they resided in England and Wales, Northern Ireland or Scotland, would be dealt with by the most appropriate jurisdiction.

25. The United Kingdom had not enacted any criminal legislation that applied specifically or only to its nationals when serving in their capacity as United Nations officials or experts on mission. However, the United Kingdom had enacted legislation that provided for extraterritorial jurisdiction over a number of offences committed by its nationals abroad. Such legislation applied to United Kingdom nationals serving as United Nations officials or experts on mission, subject to any relevant immunity they might enjoy as a matter of international law, as reflected in domestic law. The United Kingdom further noted that it had enacted legislation that provided for extraterritorial jurisdiction over specified classes of persons, namely, members of the British armed forces or anyone else who was at that time subject to service law and Crown Servants acting or purporting to act in the course of their employment.[1]

26. The United Kingdom stated that it had a long-standing policy of applying legislation extraterritorially only to the most serious offences (including those in relation to which a treaty obligation to extend jurisdiction extraterritorially was applicable), noting that there were challenges in securing convictions in relation to activities conducted abroad that related to the reliability and admissibility of evidence collected overseas. The United Kingdom further noted that it had in some cases extended its extraterritorial jurisdiction to cover persons with a close connection with the United Kingdom other than its own nationals. For example, the State's International Criminal Court Act 2001 provided for jurisdiction over genocide, war crimes and crimes against humanity committed overseas by persons who were "resident" in the United Kingdom.

27. The United Kingdom noted that, through domestic legislation (section 10 of the International Organisations Act 1968 and the United Nations and International Court of Justice (Immunities and Privileges) Order 1974 (SI 1974/1261)), it had given effect to the Convention on the Privileges and Immunities of the United

[1] The United Kingdom set out two tables including references to legislation covering extraterritorial jurisdiction for the two categories of individuals. Such information is available with the Secretariat.

Nations of 1946. Should criminal or civil proceedings be brought before courts of the United Kingdom against a person who might be entitled to immunity from process, it was for the courts to decide at the outset of proceedings the extent, if any, of such immunity, having regard to all relevant considerations.

III. Handling of credible allegations that reveal that a crime may have been committed by United Nations officials or experts on mission by States against whose nationals such allegations are made, and matters relating thereto

Australia

28. Australia reported that it had not received any notifications from the Secretary-General of credible allegations revealing that a crime might have been committed by United Nations officials or experts on mission of Australian nationality. Australia stressed that it was essential for the Secretary-General to ensure that referrals to States of nationality were followed up by the United Nations on a regular basis, and at a senior level.

El Salvador

29. El Salvador reported that its armed forces had no record of any Salvadoran personnel who had committed serious crimes during participation in a peacekeeping mission. El Salvador confirmed the legal duty to carry out an investigation and exercise its jurisdiction for credible allegations that would be brought to its attention.

Finland

30. Finland reported that no crimes of a serious nature committed by Finnish nationals while serving as United Nations officials or experts on mission had been brought to the attention of the Finnish authorities, nor were the Finnish authorities aware of any allegations, investigations or proceedings against Finnish nationals suspected of having committed such crimes while serving as United Nations officials and experts on mission. Should such allegations have been made, all appropriate measures would have been taken to investigate and prosecute those crimes in accordance with Finnish law.

Kuwait

31. Kuwait reported that, while jurisdiction would be exercised when the applicable crimes were committed, no court rulings had yet been issued in that regard.

Spain

32. With regard to the possible adoption of measures for the handling of credible allegations concerning nationals serving as United Nations officials or experts, Spain reported that no such reports had been recorded to date.

IV. Cooperation between States and with the United Nations in the exchange of information and the facilitation of investigations and prosecutions, and protection of victims and witnesses in this process

Australia

33. Further to the information previously provided (see A/63/260, para. 38 and A/65/185, paras. 39-43), Australia reported that it was a party to 29 bilateral mutual assistance treaties and a number of multilateral treaties that include mutual assistance obligations.

Belarus

34. Belarus indicated that, under article 2, paragraph 2, of its Act on International Legal Assistance in Criminal Matters of 18 May 2004, international legal assistance in criminal matters was provided on the basis of international treaties to which Belarus was a party. In the absence of an appropriate international treaty to which Belarus was a party, international legal assistance was provided on the basis of the principle of reciprocity, in accordance with section XV of the Code of Criminal Procedure.

35. Under article 469 of the Code of Criminal Procedure, international legal assistance in criminal matters based on the principle of reciprocity was provided at the request of an authority of a foreign State indicating the essence of the assistance required and information about the criminal case, the facts and the legal characterization of the act, the text of the provisions of the criminal law of the foreign State that established liability for the act, information about the extent of the harm caused and other information necessary for the fulfilment of the request. Any request from an authority of a foreign State must be provided in writing and must bear the signature of an official of that authority and the authority's official seal.

36. Belarus further noted that, under article 477 of the Code of Criminal Procedure, a request from an authority of a foreign State to prosecute a person might be fulfilled if the following were provided: the case file or a certified copy thereof and a certified translation thereof into one of the State languages of Belarus; items that served as weapons or as a means of commission of the crime or that bore traces of the crime or that were acquired by criminal means, or other items and documents that might serve as means of detecting the crime; establishing the facts of the case; identification of the perpetrators or the rebuttal of the charge; the statements of the victims or their representatives on the conduct of the prosecution, where available; and information on compensation for the harm caused by the offence, where available.

Bulgaria

37. Bulgaria reiterated the information previously provided (see A/66/174, paras. 28-33).

Cyprus

38. Cyprus noted that mutual legal assistance was provided between European Union member States under the Convention on Mutual Assistance in Criminal

Matters between the Member States of the European Union of 2000, and its Protocol. Other multilateral conventions might be invoked for executing mutual legal assistance requests, or on the basis of bilateral agreements. For facilitating legal assistance under all relevant instruments, a domestic law was enacted in 2001, namely, the International Cooperation in Criminal Matters Law No. 23 of 2001. Under its provisions, assistance might be provided at the request of a foreign authority that was competent to make mutual legal assistance requests, for example, a Court exercising criminal jurisdiction, a prosecuting authority or any other authority that was competent to make such requests for assistance, provided that: (a) an offence under the law of the country in question had been committed or there were reasonable grounds for suspecting that such an offence had been committed; and (b) proceedings in respect of the offence had been instituted in that country or an investigation into the offence was being carried out there. Mutual legal assistance requests could cover a range of actions.

39. Cyprus set out a number of other laws connected with the legal context of rendering legal assistance, including the Protection of Witnesses Law of 2001; the Prevention and Suppression of Money Laundering Activities Law of 2007; the Joint Investigation Teams Law of 2004 (as between European Union member States); the Suppression of Crime (Controlled Delivery and Other Specific Provisions) Law of 1995; the Law on Data Retention of 2007; and the Law on the Protection of the Secrecy of Private Communication of 1996, as amended.

40. With respect to extradition, Cyprus reported that the Extradition of Fugitive Offenders Law No. 97/1970, as amended, was the domestic legal framework for extradition. Requests to and from other countries were proceeded with on the legal basis provided by the European Convention on Extradition of 1957, which Cyprus ratified by Ratification Law No. 95/1970, and its three Additional Protocols, to which Cyprus is also a State party (Ratification Laws 23/1979, 17/1984 and 28 (111)/2012.

41. Cyprus noted that extradition might also be effected under the provisions of relevant bilateral agreements with a number of countries, such as Belarus, Georgia, Egypt, Libya and the United States of America. Finally, Cyprus noted that extradition and surrender of fugitives within the European Union is effected in the context of the European Union Council Framework Decision 2002/584/JHA on the European arrest warrant and the surrender procedures between European Union member States, which Cyprus transformed into domestic law by Law No. 133(1)/2004. Further to a constitutional amendment, nationals might also be surrendered.

Kuwait

42. Kuwait reiterated the information previously provided (see A/64/183, para. 51).

Switzerland

43. Switzerland indicated that it had a federal law on assistance in criminal matters[2] and had ratified several international agreements addressing issues in that field.

[2] See Federal Act on International Mutual Assistance in Criminal Matters 351.1, available from https://www.admin.ch/opc/en/classified-compilation/19810037/index.html.

44. Moreover, its Code of Criminal Procedure had established the means to effectively protect victims and witnesses (see, for example, art. 117 and art. 149 of the Code of Criminal Procedure).[3]

V. Report of the Group of Legal Experts, including on the question of future action

Australia

45. Australia noted that it continued to support in principle the proposal for a convention that required Member States to exercise criminal jurisdiction over their nationals participating in United Nations operations abroad. Australia expressed hope that, in the light of ongoing reports of serious crimes being perpetrated by United Nations officials and experts on mission, the working group of the Sixth Committee would be able to reinvigorate discussions about a convention and have a substantive discussion about the key issues raised in the report of the Group of Legal Experts.

Switzerland

46. Switzerland stated that it remained convinced that in the long term the development of an international convention would be the most appropriate way to address and effectively and permanently solve the problems in that area. The States parties to a new convention could commit to extending their jurisdiction to the serious crimes committed by their nationals on mission and to preventing the commission of such crimes, including by all categories of staff in peacekeeping missions, including experts on mission who are military personnel.

VI. Bringing credible allegations that reveal that a crime may have been committed by United Nations officials or experts on mission to the attention of the States against whose nationals such allegations are made, and matters relating thereto

47. In paragraphs 15 to 20 and 22 to 25 of its resolution 70/114, the General Assembly urged Member States to provide information to the Secretary-General, requested the Secretary-General to provide certain information to the Assembly and requested the United Nations to take certain measures concerning the issue of criminal accountability of officials and experts on mission.

Criminal conduct of personnel deployed in field missions

48. The Secretary-General continued to expect that any criminal conduct by United Nations staff members, or other categories of personnel deployed in field missions, would be prosecuted in a manner consistent with the gravity of the offence. That was particularly the case in instances of sexual abuse that amounted to

[3] See Code of Criminal Procedure 312.0, available from https://www.admin.ch/opc/en/classified-compilation/20052319/index.html.

crimes under the laws of host or sending States. Such instances would include non-consensual sexual activities and sexual activities with minors. During the reporting period, the Department of Field Support referred to the Office of Legal Affairs instances of possible criminal offences involving eight staff members, including one instance of sexual abuse of a minor. Furthermore, the Department of Field Support also cooperated with the Office of Legal Affairs in reviewing investigation reports to be referred to Member States for criminal accountability purposes, in connection with eight more instances involving possible criminal offences (see paras. 51 and 52).

49. The latest report of the Secretary-General on special measures for protection from sexual exploitation and sexual abuse (A/70/729) again raised the issue of the need for United Nations personnel to be held accountable for criminal offences. The Secretary-General again urged Member States to conclude the long-standing discussions on the adoption of an international convention on the issue. The Secretary-General also indicated that information would be sought from Member States regarding amendments to their administrative rules, regulations or codes governing police and military contingents to clearly recognize all forms of sexual exploitation and abuse as misconduct, where that was not already the case, and to indicate that such acts would attract the harshest available sanctions. The Department of Field Support, in cooperation with the Office of Legal Affairs, was in the process of finalizing guidance for field missions on procedures to be followed in instances of misconduct, including sexual exploitation and abuse, that could amount to criminal conduct to be referred to the judicial authorities of host States, in accordance with the existing legal framework.

50. As observed in the previous report of the Secretary-General on criminal accountability of United Nations officials and experts on mission (A/70/208), peacekeeping missions continued to report, on a quarterly basis, on cooperation with host States regarding the investigation and prosecution of criminal offences committed by United Nations personnel, where applicable.

Referrals in relation to officials or experts on mission during the period from 1 July 2015 to 30 June 2016

51. The request in paragraph 15 of resolution 70/114 is similar to those made by the General Assembly in paragraph 9 of its resolutions 69/114 (see A/70/208, covering the 2014/15 period), 68/105 (see A/69/210, covering the 2013/14 period), 67/88 (see A/68/173, covering the 2012/13 period), 66/93 (see A/67/213, covering the 2011/12 period), 65/20 (see A/66/174, covering the 2010/11 period), 64/110 (see A/65/185, covering the 2009/10 period), 63/119 (see A/64/183, covering the 2008/09 period) and 62/63 (see A/63/260, covering the 2007/08 period).

52. During the period from 1 July 2015 to 30 June 2016, the Office of Legal Affairs referred to States of nationality, through the permanent missions concerned, 19 cases involving 20 United Nations officials and experts on mission for investigation and possible prosecution. Of those cases, eight concerned allegations of corruption and fraud; four concerned allegations of entitlement fraud; two concerned allegations of physical assault; two concerned allegations of sexual exploitation and/or abuse; one concerned allegations of sexual abuse and physical assault; one concerned allegations of corruption, fraud and sexual exploitation and abuse; and one concerned allegations of theft. Additional details regarding those

cases, as required by paragraph 15 of resolution 70/114, are contained in annex II to the present report.

Updates from States on the status of their efforts to investigate and, as appropriate, prosecute cases, as well as assistance requested from the Secretariat

53. The Office of Legal Affairs requested the States to which cases were referred during the reporting period to keep the United Nations informed of any action taken by national authorities in relation to such cases and followed up on cases where it did not receive a response from the Member State concerned. As of the date of preparation of the present report, the Office had been contacted by States to which referrals were made during the reporting period with respect to the cases of three officials or experts on mission, noting that such cases had been raised with the relevant authorities. In those cases, the States concerned also requested specific assistance from the United Nations, which was provided. The Secretariat remains ready to assist on all referrals made.

54. Annex II contains information received from States in response to referrals and follow-up requests for updates made during previous reporting periods. In addition, details of earlier requests by the Secretariat for information from States of nationality on how they were handling cases previously referred to them are contained within the previous reports of the Secretary-General on the subject (see A/64/183 para. 63; A/65/185, paras. 85 and 86; A/66/174, paras. 62 and 63; A/67/213, paras. 36 and 37; A/68/173, paras. 19 and 20; A/69/210, paras. 15 and 16; and A/70/208, paras. 29 and 30).

Additional information on the nature of the allegations and information received from States on all referrals since 1 July 2007

55. In its resolution 70/114, the General Assembly requested that additional information on instances where credible allegations have been referred be included in the present report. In particular, in paragraph 25, the Assembly requested the Secretary-General to provide:

> Information on instances where credible allegations have been referred pursuant to paragraph 15 above, as well as information received pursuant to paragraph 16 on all referrals since 1 July 2007, which information would be limited to the United Nations entity involved, the year of referral, information about the type of crime and summary of allegations, status of investigations, prosecutorial and disciplinary actions taken, including with respect to individuals concerned who have left the duty mission or the service of the United Nations, any requests for waivers of immunity, as applicable, and information on jurisdictional, evidentiary or other obstacles to prosecution, while protecting the privacy of the victims as well as respecting the rights of those subject to the allegations.

56. In accordance with the request set out in paragraph 25 of resolution 70/114, the table included in annex II of the present document provides the information requested as to each case where credible allegations have been referred to national authorities pursuant to resolution 62/63 and subsequent resolutions on the criminal accountability of United Nations officials and experts on mission.

Possible use by States exercising jurisdiction of information from United Nations investigations

57. In paragraph 17 of its resolution 70/114, the General Assembly requested the United Nations, when its investigations into allegations suggest that crimes of a serious nature may have been committed by United Nations officials or experts on mission, to consider any appropriate measures that may facilitate the possible use of information and material for purposes of criminal proceedings initiated by States, bearing in mind due process considerations. In the same vein, in paragraph 19 of that resolution, the Assembly urged the United Nations to continue cooperating with States exercising jurisdiction in order to provide them, within the framework of the relevant rules of international law and agreements governing activities of the United Nations, with information and material for purposes of criminal proceedings initiated by States.

58. In that regard, it is important to recall that the legal framework within which the referrals are made by the United Nations and the role of the Secretary-General have been outlined in a previous report of the Secretary-General on criminal accountability of United Nations officials and experts on mission (see A/63/260, sect. IV).

59. The United Nations cooperates with law enforcement and judicial authorities of relevant Member States in accordance with its rights and obligations under the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly on 13 February 1946, as well as other relevant international agreements and applicable legal principles. Accordingly, the Organization will disclose documents and/or information and waive immunity on a case-by-case basis where, in the opinion of the Secretary-General, immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations. Consequently, information obtained by the United Nations may be provided to the relevant authorities and documents may be shared, subject to considerations of confidentiality and privileges and immunities. Documents may be redacted where necessary. It should be noted that, since the United Nations does not have any criminal investigative or prosecutorial jurisdiction, the use of any documents of information provided by the United Nations, including their admissibility in any legal proceedings, is a matter for determination by the relevant judicial authorities to whom such documents or information have been provided.

Protection of United Nations officials and experts on mission from retaliation

60. For information responding to paragraphs 18 and 20 of resolution 70/114, the situation remains the same as reported in the previous report of the Secretary-General (see A/70/208, paras. 34 and 35).

VII. Practical measures to strengthen existing predeployment training and vetting measures

61. With support from conduct and discipline personnel based in field missions, all United Nations personnel deployed in peacekeeping and special political missions continue to receive training and be sensitized concerning their obligation

to respect the United Nations standards of conduct, including the obligation for all United Nations personnel to observe the laws of the host State, as well as possible consequences in terms of accountability should they fail to observe such laws. In addition, a dedicated e-learning programme on sexual exploitation and abuse has been developed and is currently being piloted. The programme will be launched more widely, for use by all United Nations personnel to be deployed in peacekeeping and special political missions, by the third quarter of 2016.

62. During the reporting period, the Department of Field Support completed required technical changes and started the vetting of all military and police contingent personnel to be deployed in peacekeeping and special political missions, thereby ensuring that all categories of personnel now deployed with those field missions are vetted for possible misconduct during previous service with United Nations peacekeeping and special political missions. Discussions also continue in the context of the High-level Committee on Management regarding means of implementing mechanisms to ensure system-wide sharing of information in vetting processes, with an emphasis on identifying practical measures, taking into account financial implications.

Annex I

Questionnaire on criminal accountability of United Nations officials and experts on mission, pursuant to resolution 70/114, paragraph 23

By operative paragraph 23 of General Assembly resolution 70/114 of 14 December 2015, entitled "Criminal accountability of United Nations officials and experts on mission", the Secretary-General was requested to prepare a compilation, based on information which should be received from all Member States, of national provisions regarding the establishment of jurisdiction over their nationals, whenever they serve as United Nations officials or experts on mission, in relation to crimes as known in their existing national criminal laws, particularly those of a serious nature.

In order to facilitate the collation of information for this compilation, the Codification Division of the Office of Legal Affairs of the United Nations has prepared a questionnaire for consideration by Member States in submitting information in response to circular notes LA/COD/50/1 and LA/COD/50/2 dated 31 December 2015, on the same item.

In order to ensure completeness in the preparation of the compilation, the Codification Division of the Office of Legal Affairs of the United Nations would appreciate receiving excerpts of relevant national provisions and short references or citations of such national provisions.

1. Please indicate the available forms of jurisdiction and list the relevant national provision(s) through which criminal law is applicable to nationals while serving as United Nations officials or experts on mission; please also specify whether specific legislation applies to United Nations officials and experts on mission:

(a) Territoriality

(b) Nationality

(c) Passive personality

(d) Effects doctrine

(e) Protective principle

(f) Universality

(g) Other (if any)

2. To what extent do national provisions establish jurisdiction ratione personae over crimes committed extraterritorially by nationals while serving as United Nations officials and experts on mission (please indicate all that apply and cite relevant national provisions):

(a) General application to all persons

(b) Jurisdiction over nationals

(c) Jurisdiction over stateless persons

(d) Jurisdiction over foreign nationals (list specific exceptions)

(e) Specific legislation for particular categories of persons

(f) Military United Nations officials and experts on mission

(g) Police United Nations officials and experts on mission

(h) Civilian United Nations officials and experts on mission

(i) Public officials acting in foreign jurisdictions

(j) Other (if any)

3. To which extent do national provisions establish jurisdiction ratione materiae over crimes committed extraterritorially by nationals while serving as United Nations officials or experts on mission (please indicate all that apply and cite relevant national provisions):

(a) General application of criminal law

(b) Application limited to international treaty obligations

(c) Application limited to crimes of a "serious nature"

(d) Application limited to "international crimes", including genocide, crimes against humanity and war crimes

(e) Application limited to crimes accompanied with minimum imprisonment term (e.g. 3/5 years)

(f) Application limited to crimes affecting "essential interest(s) of the State"

(g) Application limited to crimes affecting public security

(h) Application limited to specific list of crimes

(i) Other limitations to the application ratione materiae of domestic law (if any)

4. Which, if any, prerequisites are placed before the application of extraterritorial jurisdiction for United Nations officials or experts on mission (please indicate all that apply and cite relevant national provisions):

(I)

(a) Agreement (SOFA/SOMA) with host State on extraterritorial jurisdiction

(b) Agreement (SOFA/SOMA) with host State with respect to United Nations officials or experts on mission

(c) Any other agreement

(d) National law

(II)

(a) Offence must be extraditable

(b) Double criminality, with/without specific limitations to its application

(c) Presence of the offender in territory of forum State, with/without specific limitations to its application

(d) Application of principles of ne bis in idem

(e) Permission to prosecute required by Public Prosecutor/Attorney-General/ other specific government official(s)

5. What is the legal basis for the application of rules of immunity to United Nations officials or experts on mission (please indicate all that apply and cite relevant national provisions):

(a) Convention on Privileges and Immunities of the United Nations, 1946, as applicable

(b) Specific agreement with the United Nations (SOFA/SOMA/other)

(c) Specific agreement with the host State (SOFA/SOMA/other)

(d) Other general privileges and immunities applicable, including those accorded by national law

6. To what extent is military and/or civilian law applicable to crimes committed by United Nations officials or experts on mission (please indicate all applicable categories and cite relevant national provisions):

(a) Exclusive application of military law to military personnel deployed as United Nations officials or experts on mission

(b) Exclusive use of military courts for military personnel deployed as United Nations officials or experts on mission

(c) Potential application of civilian law/courts to military personnel

7. Please provide any other comments.

Annex II

Additional information on the nature of the allegations and information received from States on all referrals since 1 July 2007

	Referral year	*Reporting period*[a]	*United Nations entity*	*Type of crime(s)*	*Summary of allegations*	*Information received on status of investigation, prosecutorial/ disciplinary action*	*Request for waiver of immunity of the individual(s) concerned?*	*Information received on jurisdictional or evidentiary obstacles to prosecution*
1	2008	2007/08	UNMIL	Sexual exploitation and abuse	Alleged rape of a minor	No information received from Member State	No	No information received from Member State
2	2008	2007/08	UNOPS	Corruption/ fraud	Alleged procurement fraud through the execution of a bid-rigging scheme	No information received from Member State	No	No information received from Member State
3	2008	2007/08	UNMIS	Sexual abuse	Alleged rape and physical assault of an adult	No information received from Member State	No	No information received from Member State
4	2009	2008/09	UNMIT	Vehicular crime	Alleged driving while intoxicated resulting in one injury and one death	Investigation was initiated by Member State; no further information was received	Yes	No information received from Member State
5	2009	2008/09	UNOCI	Counter-feiting	Alleged knowing possession of counterfeit currency and making of verbal threats	No information received from Member State	No	No information received from Member State
6	2009	2008/09	UNHCR	Corruption/ fraud	Alleged embezzlement by using a fraudulent check to withdraw funds from a United Nations bank account	No information received from Member State	No	No information received from Member State

	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial disciplinary action	Request for waiver of immunity of the individual(s) concerned?	Information received on jurisdictional or evidentiary obstacles to prosecution
7	2009	2008/09	UNFPA	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent disbursement of salary payments to a private account	No information received from Member State	No	No information received from Member State
8	2009	2008/09	UNOPS	Corruption/ fraud	Alleged embezzlement and fraudulent use of funds designated for donor-funded projects	Investigation initiated by Member State	No	No information received from Member State
9	2009	2009/10	MONUC	Smuggling	Alleged illicit purchase and smuggling of uncut diamonds	No information received from Member State	No	No information received from Member State
10	2010	2009/10	Secretariat	Theft/ firearms violation	Alleged theft of a United Nations firearm and violation of a firearms possession law	No information received from Member State	No	No information received from Member State
11	2010	2009/10	Secretariat	Entitlement fraud	Alleged submission of false claims for United Nations rental subsidy allowances	No information received from Member State	No	No information received from Member State
12	2010	2009/10	UNIFEM	Corruption/ fraud	Alleged embezzlement through the fraudulent diversion of United Nations project assets to private accounts	Investigation and prosecution of non-United Nations personnel connected to case initiated by Member State	No	No information received from Member State

	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request for waiver of immunity of the individual(s) concerned?	Information received on jurisdictional or evidentiary obstacles to prosecution
13	2010	2009/10	Secretariat	Entitlement fraud/visa fraud	Alleged submission of fraudulent applications for visas and dependency entitlements	No information received from Member State[b]	No	No information received from Member State
14	2010	2010/11	MONUC	Sexual exploitation and abuse	Alleged sexual exploitation and abuse of a minor	No information received from Member State	No	No information received from Member State
15	2010	2010/11	UNDP	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	Investigation initiated by Member State; no further information received	No	No information received from Member State
16	2010	2010/11	UNOCI	Physical assault/ firearms violation	Alleged physical assault and unlawful brandishing of a firearm	No information received from Member State	No	No information received from Member State
17	2010	2010/11	UNMIT	Theft/fraud	Alleged fraudulent transfer of private funds to a private account	No information received from Member State	No	No information received from Member State
18	2010	2010/11	MINUSTAH	Sexual exploitation and abuse/ physical assault	Alleged sexual exploitation and abuse of a minor; alleged physical assault of a minor	Disciplined by Member State's police; criminal case was dismissed by national authorities	No	No information received from Member State
19	2010	2010/11	UNFPA	Theft	Alleged theft of United Nations fuel	No information received from Member State	No	No information received from Member State

	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request for waiver of immunity of the individual(s) concerned?	Information received on jurisdictional or evidentiary obstacles to prosecution
20	2011	2010/11	UNDP	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State
21	2011	2010/11	UNMIL	Corruption/ fraud	Alleged solicitation and acceptance of bribery payments	No information received from Member State	No	No information received from Member State
22	2011	2011/12	UNAMI	Entitlement fraud	Alleged submission of fraudulent claims for reimbursement of education expenses	No information received from Member State	No	No information received from Member State
23	2011	2011/12	UNOCI	Corruption/ fraud	Alleged submission of fraudulent fuel invoices	No information received from Member State	No	No information received from Member State
24	2012	2011/12	UNICEF	Corruption/ fraud	Alleged embezzlement of United Nations funds through the forgery of fraudulent payment vouchers	No information received from Member State	No	No information received from Member State
25	2012	2011/12	UNDP	Corruption/ fraud	Alleged acceptance of bribery payments and manipulation of a procurement process	No information received from Member State	No	No information received from Member State
26	2012	2011/12	UNICEF	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent disbursement of salary payments	Investigation initiated by Member State; no further information received	No	No information received from Member State

	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial disciplinary action	Request for waiver of immunity of the individual(s) concerned?	Information received on jurisdictional or evidentiary obstacles to prosecution
27	2012	2011/12	WFP	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent disbursement of salary payments	No information received from Member State	No	No information received from Member State
28	2012	2011/12	MINUSTAH	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations dental insurance provider	No information received from Member State[b]	No	No information received from Member State
29	2012	2011/12	MINUSTAH	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations dental insurance provider	No information received from Member State[b]	No	No information received from Member State
30	2012	2011/12	MINUSTAH	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations dental insurance provider	No information received from Member State[b]	No	No information received from Member State
31	2012	2011/12	MINUSTAH	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations dental insurance provider	No information received from Member State[b]	No	No information received from Member State
32	2012	2012/13	MINUSTAH	Distribution of child pornography	Alleged distribution of pornographic images of a minor using a United Nations computer and e-mail account	Investigation initiated by Member State; no further information received	No	No information received from Member State

	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request or waiver of immunity of the individual(s) concerned?	Information received on jurisdictional or evidentiary obstacles to prosecution
33	2012	2012/13	UNEP	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent diversion of vendor payments	No information received from Member State	No	No information received from Member State
34	2012	2012/13	UNDP	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent disbursement of payments to private accounts	No information received from Member State	No	No information received from Member State
35	2012	2012/13	UNDP	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent disbursement of payments to private accounts	No information received from Member State	No	No information received from Member State
36	2012	2012/13	UNDP	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent disbursement of payments to private accounts	No information received from Member State	No	No information received from Member State
37	2012	2012/13	MINUSTAH	Corruption/ fraud	Alleged solicitation and acceptance of bribery payments from individuals seeking United Nations employment	Investigation initiated by Member State; no further information received	No	No information received from Member State

	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/disciplinary action	Request for waiver of immunity of the individual(s) concerned?	Information received on jurisdictional or evidentiary obstacles to prosecution
38	2013	2012/13	UNMIK	Entitlement fraud	Alleged submission of fraudulent claims to the United Nations for reimbursement of education expenses	Member State considered matter and confirmed it would not pursue it	No	No information received from Member State
39	2013	2012/13	UNDP	Physical assault	Alleged physical assault of an adult	No information received from Member State	No	No information received from Member State
40	2013	2012/13	UNRWA	Corruption/ fraud	Alleged procurement fraud and receipt of bribery payments	Investigation initiated by Member State; no further information received	No	No information received from Member State
41	2013	2013/14	Secretariat	Sexual exploitation and abuse	Alleged sexual exploitation and abuse of minors	No information received from Member State	No	No information received from Member State
42	2013	2013/14	UNEP	Corruption/ fraud	Alleged fraudulent solicitation and diversion of donor funds to a private company	No information received from Member State	No	No information received from Member State
43	2013	2013/14	UNMIL	Theft	Alleged theft of United Nations tyres	No information received from Member State	No	No information received from Member State
44	2013	2013/14	UNDP	Corruption/ fraud	Alleged embezzlement through the fraudulent disbursement of UNDP assets to a private account	Member State reported that it would forward the case to its judicial authorities	No	No information received from Member State

	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial disciplinary action	Request for waiver of immunity of the individual(s) concerned?	Information received on jurisdictional or evidentiary obstacles to prosecution
45	2013	2013/14	UNSOA	Corruption/ fraud	Alleged embezzlement through the fraudulent disbursement of United Nations assets to a private account	No information received from Member State	No	No information received from Member State
46	2014	2013/14	UNEP	Corruption/ fraud	Alleged fraudulent solicitation and diversion of donor funds to a private company	No information received from Member State	No	No information received from Member State
47	2014	2013/14	Secretariat	Corruption/ fraud	Alleged embezzlement of United Nations funds by forging documents to direct expenditure payments to private accounts	No information received from Member State	No	No information received from Member State
48	2014	2013/14	UNEP	Corruption/ fraud	Alleged solicitation and receipt of undue financial and other benefits from donors	No information received from Member State	No	No information received from Member State
49	2014	2013/14	UNDP	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State
50	2014	2013/14	UNOCI	Distribution of child pornography	Alleged distribution of pornographic images of a minor using a United Nations computer and e-mail account	No information received from Member State	No	No information received from Member State

	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial disciplinary action	Request for waiver of immunity of the individual(s) concerned?	Information received on jurisdictional or evidentiary obstacles to prosecution
51	2014	2013/14	UNOCI	Distribution of child pornography	Alleged distribution of pornographic images of a minor using a United Nations computer and e-mail account	No information received from Member State	No	No information received from Member State
52	2014	2013/14	UNOCI	Distribution of child pornography	Alleged distribution of pornographic images of a minor using a United Nations computer and e-mail account	No information received from Member State	No	No information received from Member State
53	2014	2013/14	UNOCI	Distribution of child pornography	Alleged distribution of pornographic images of a minor using a United Nations computer and e-mail account	No information received from Member State	No	No information received from Member State
54	2014	2014/15	UNDP	Corruption/ fraud	Alleged solicitation of bribery payments in exchange for confidential information	Investigation initiated by Member State; United Nations cooperated with investigation	No	No information received from Member State
55	2014	2014/15	UNDP	Corruption/ fraud	Alleged solicitation of bribery payments from United Nations partners	Investigation initiated by Member State; no further information received	No	No information received from Member State
56	2014	2014/15	UNDP	Corruption/ fraud	Alleged embezzlement through the fraudulent diversion of UNDP assets to a private account	Investigation initiated by Member State; United Nations cooperated with investigation	No	No information received from Member State

	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial disciplinary action	Request for waiver of immunity of the individual(s) concerned[b]	Information received on jurisdictional or evidentiary obstacles to prosecution
57	2014	2014/15	UNMISS	Corruption/ fraud	Alleged procurement fraud by posing as a United Nations procurement officer	No information received from Member State	No	No information received from Member State
58	2014	2014/15	UNHCR	Corruption/ fraud	Alleged embezzlement of United Nations funds by cashing fraudulent checks and preparing irregular financial transactions	No information received from Member State	No	No information received from Member State
59	2014	2014/15	UNHCR	Corruption/ fraud	Alleged embezzlement through the fraudulent diversion of United Nations funds to a private account	No information received from Member State	No	No information received from Member State
60	2014	2014/15	UNOPS	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State
61	2014	2014/15	MINUSTAH	Entitlement fraud	Alleged submission of fraudulent claims to the United Nations for reimbursement of education expenses	No information received from Member State	No	No information received from Member State
62	2015	2014/15	MONUSCO	Sexual exploitation and abuse	Alleged rape of a minor	No information received from Member State	No	No information received from Member State

	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial/ disciplinary action	Request for waiver of immunity of the individual(s) concerned?	Information received on jurisdictional or evidentiary obstacles to prosecution
63	2015	2014/15	UNHCR	Corruption/ fraud	Alleged embezzlement of United Nations funds the fraudulent endorsement and cashing of checks payable to staff members	No information received from Member State	No	No information received from Member State
64	2015	2014/15	UNOCI	Distribution of child pornography	Alleged distribution of pornographic images of a minor using a United Nations computer and e-mail account	No information received from Member State	No	No information received from Member State
65	2015	2014/15	UNOCI	Distribution of child pornography	Alleged distribution of pornographic images of a minor using a United Nations computer and e-mail account	No information received from Member State	No	No information received from Member State
66	2015	2014/15	UNHCR	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent withdrawal of vendor-designated assets	Criminal proceedings initiated by Member State; no further information received	No	No information received from Member State
67	2015	2014/15	UNMISS	Corruption/ fraud	Alleged embezzlement of United Nations funds through the fraudulent disbursement of salary payments	No information received from Member State	No	No information received from Member State
68	2015	2014/15	UNMISS	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State

	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial disciplinary action	Request for waiver of immunity of the individual(s) concerned?	Information received on jurisdictional or evidentiary obstacles to prosecution
69	2015	2014/15	UNHCR	Corruption/ fraud	Alleged embezzlement by using a fraudulent check to withdraw funds from a United Nations bank account	No information received from Member State	No	No information received from Member State
70	2015	2014/15	MONUSCO	Sexual exploitation and abuse	Alleged sexual exploitation and abuse of a minor	No information received from Member State	No	No information received from Member State
71	2015	2015/16	UNFPA	Corruption/ fraud	Alleged procurement fraud by providing confidential information to a potential vendor	No information received from Member State[b]	No	No information received from Member State
72	2015	2015/16	UNSOA	Corruption/ fraud	Alleged solicitation and acceptance of bribery payments	No information received from Member State	No	No information received from Member State
73	2015	2015/16	MONUSCO	Corruption/ fraud	Alleged procurement fraud by forging and presenting fraudulent purchase orders to potential vendors	No information received from Member State	No	No information received from Member State
74	2015	2015/16	UNMIL	Sexual exploitation and abuse	Alleged sexual exploitation and abuse of a minor	No information received from Member State	No	No information received from Member State
75	2015	2015/16	Secretariat	Corruption/ fraud	Alleged embezzlement of United Nations funds by generating fraudulent payments to private accounts	No information received from Member State	No	No information received from Member State
76	2015	2015/16	UNDP	Corruption/ fraud	Alleged solicitation of illicit payments from UNDP vendors	No information received from Member State	No	No information received from Member State

	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial disciplinary action	Request for waiver of immunity of the individual(s) concerned?	Information received on jurisdictional or evidentiary obstacles to prosecution
77	2015	2015/16	UNAMID	Sexual abuse/ physical assault	Alleged sexual and physical assault of an adult	No information received from Member State	No	No information received from Member State
78	2016	2015/16	UNEP	Physical assault	Alleged physical assault of an adult	No information received from Member State	No	No information received from Member State
79	2016	2015/16	UNAMID	Physical assault	Alleged physical assault of an adult	No information received from Member State	No	No information received from Member State
80	2016	2015/16	MINUSTAH	Corruption/ fraud	Alleged solicitation and acceptance of bribery payments	No information received from Member State[b]	No	No information received from Member State
81	2016	2015/16	UNDP	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State
82	2016	2015/16	UNMIL	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance	No information received from Member State	No	No information received from Member State
83	2016	2015/16	Secretariat	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	Investigation initiated by Member State; no further information received	No	No information received from Member State
84	2016	2015/16	MINUSTAH	Theft	Alleged theft of United Nations fuel	No information received from Member State	No	No information received from Member State

	Referral year	Reporting period[a]	United Nations entity	Type of crime(s)	Summary of allegations	Information received on status of investigation, prosecutorial disciplinary action	Request for waiver of immunity of the individual(s) concerned?	Information received on jurisdictional or evidentiary obstacles to prosecution
85	2016	2015/16	Secretariat	Corruption/ fraud/sexual exploitation and abuse	Alleged solicitation and acceptance of bribery payments and soliciting sexual favours; alleged sexual assault of an adult	No information received from Member State	No	No information received from Member State
86	2016	2015/16	UNDP	Corruption/ fraud	Alleged solicitation and acceptance of bribery payments	No information received from Member State	No	No information received from Member State
87	2016	2015/16	UNMIL	Entitlement fraud	Alleged submission of false claims for medical reimbursement to a United Nations health insurance provider	No information received from Member State	No	No information received from Member State
88	2016	2015/16	Secretariat	Corruption/ fraud	Alleged solicitation and acceptance of bribery payments from an individual seeking United Nations employment	No information received from Member State	No	No information received from Member State
89	2016	2015/16	Secretariat	Sexual abuse	Alleged sexual abuse of an adult	No information received from Member State	No	No information received from Member State

Abbreviations: MINUSTAH, United Nations Stabilization Mission in Haiti; MONUC, United Nations Organization Mission in the Democratic Republic of the Congo; MONUSCO, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo; UNAMI, United Nations Assistance Mission for Iraq; UNAMID, African Union-United Nations Hybrid Operation in Darfur; UNDP, United Nations Development Programme; UNEP, United Nations Environment Programme; UNFPA, United Nations Population Fund; UNHCR, Office of the United Nations High Commissioner for Refugees; UNICEF, United Nations Children's Fund; UNIFEM, United Nations Development Fund for Women; UNMIK, United Nations Interim Administration Mission in Kosovo; UNMIL, United Nations Mission in Liberia; UNMIS, United Nations Mission in the Sudan; UNMISS, United Nations Mission in South Sudan; UNMIT, United Nations Integrated Mission in Timor-Leste; UNOCI, United Nations Operation in Côte d'Ivoire; UNOPS, United Nations Office for Project Services; UNRWA, United Nations Relief and Works Agency for Palestine Refugees in the Near East; UNSOA, United Nations Support Office for the African Union Mission in Somalia; WFP, World Food Programme.

[a] Reporting periods run from 1 July through 30 June.

[b] Response received from Member State acknowledging receipt of referral and/or seeking further information.

[c] In consultation with WFP.